

By: Pitts

H.B. No. 517

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the eligibility of inmates convicted of certain
3 intoxication offenses for release on parole or mandatory
4 supervision.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 508.145(d)(1), Government Code, is
7 amended to read as follows:

8 (d)(1) An inmate serving a sentence for an offense described
9 by Section 3g(a)(1)(A), (C), (D), (E), (F), (G), (H), (I), (J), or
10 (K), Article 42.12, Code of Criminal Procedure, or for an offense
11 for which the judgment contains an affirmative finding under
12 Section 3g(a)(2) of that article, or for an offense under Section
13 20A.03, Penal Code, or for an offense punished under Section
14 49.09(b), Penal Code, is not eligible for release on parole until
15 the inmate's actual calendar time served, without consideration of
16 good conduct time, equals one-half of the sentence or 30 calendar
17 years, whichever is less, but in no event is the inmate eligible for
18 release on parole in less than two calendar years.

19 SECTION 2. Section 508.149(a), Government Code, as amended
20 by Chapters 1 (S.B. 24) and 122 (H.B. 3000), Acts of the 82nd
21 Legislature, Regular Session, 2011, is reenacted and amended to
22 read as follows:

23 (a) An inmate may not be released to mandatory supervision
24 if the inmate is serving a sentence for or has been previously

1 convicted of:

2 (1) an offense for which the judgment contains an
3 affirmative finding under Section 3g(a)(2), Article 42.12, Code of
4 Criminal Procedure;

5 (2) a first degree felony or a second degree felony
6 under Section 19.02, Penal Code;

7 (3) a capital felony under Section 19.03, Penal Code;

8 (4) a first degree felony or a second degree felony
9 under Section 20.04, Penal Code;

10 (5) an offense under Section 21.11, Penal Code;

11 (6) a felony under Section 22.011, Penal Code;

12 (7) a first degree felony or a second degree felony
13 under Section 22.02, Penal Code;

14 (8) a first degree felony under Section 22.021, Penal
15 Code;

16 (9) a first degree felony under Section 22.04, Penal
17 Code;

18 (10) a first degree felony under Section 28.02, Penal
19 Code;

20 (11) a second degree felony under Section 29.02, Penal
21 Code;

22 (12) a first degree felony under Section 29.03, Penal
23 Code;

24 (13) a first degree felony under Section 30.02, Penal
25 Code;

26 (14) a felony for which the punishment is increased
27 under Section 481.134 or Section 481.140, Health and Safety Code;

- 1 (15) an offense under Section 43.25, Penal Code;
2 (16) an offense under Section 21.02, Penal Code;
3 (17) a first degree felony under Section 15.03, Penal
4 Code;
5 (17-a) an offense punished under Section 49.09(b),
6 Penal Code;
7 (18) an offense under Section 43.05, Penal Code; ~~[or]~~
8 (19) an offense under Section 20A.02, Penal Code; or
9 (20) [~~(18)~~] an offense under Section 20A.03, Penal
10 Code.

11 SECTION 3. The change in law made by this Act applies only
12 to an offense committed on or after the effective date of this Act.
13 An offense committed before the effective date of this Act is
14 governed by the law in effect on the date the offense was committed,
15 and the former law is continued in effect for that purpose. For
16 purposes of this section, an offense was committed before the
17 effective date of this Act if any element of the offense occurred
18 before that date.

19 SECTION 4. To the extent of any conflict, Section 2 of this
20 Act prevails over another Act of the 83rd Legislature, Regular
21 Session, 2013, relating to nonsubstantive additions to and
22 corrections in enacted codes.

23 SECTION 5. This Act takes effect September 1, 2013.